

Fire Safety Code Board

Of Appeal & Review

Minutes of November 17, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 17, 2009 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Preiss, Blackburn, Richard, Walker, Jasparro, Dias and Filippi. Commissioners Walker and Jackson were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #090360: Mr. Sam Katsaras, for the property located at 771 Hope Street in Providence. ADSFM Richard Silva appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Vice Chairman Newbrook and Commissioner Dias, to grant a variance to install the exhaust system as presented, based upon the existing structure and configuration of the property and the surrounding buildings. The motion was unanimous.

APPEAL #090352: Mr. Nicholas Haddad, for the property located at 77 Havelock Street in Woonsocket. ADSFM Francis Dunton appeared for the Woonsocket Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Filippi, to reaffirm the

Board's previous decision (050696) for this restaurant owner. The motion passed over the opposition vote of Commissioner Blackburn.

APPEAL #090259: Meshanticut Vista Associates, for the property located at 225 New London Avenue in Cranston. ADSFM Glen Bathgate appeared for the Cranston Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's plan of action for the correction of the deficiencies in this facility. The Applicant is granted a time variance of thirty days to submit plans to the Cranston Fire Marshal's office for the correction of the deficiencies in this facility, and an additional 120 days in which to implement those plans. The Applicant is granted the same time variance as outlined above for the correction of the elevator deficiencies. The Applicant is granted a time variance of six months in which to submit plans to the Cranston Fire Marshal's office for a sprinkler system in this facility, and an additional six months in which to install the system. The Cranston Fire Marshal's office is granted the authority to extend any or all of the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #070090: Whitmarsh Corporation, for the property located at 530 Dexter Street in Providence. DSFM Christopher Moore appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Walker, to grant the Applicant's

request for a variance from the provisions of sections 33.2.2.4, 33.2.2.6 and 7.2.2.2.1, there being no objection from the State Fire Marshal's office. The motion was unanimous.

APPEAL #080154: Whitmarsh Corporation, for the property located at 508 West Avenue in Pawtucket. DSFM Christopher Moore appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Commissioner Jasparro, to grant the Applicant's request for a variance from the provisions of section 33.2.2, there being no objection from the State Fire Marshal's office. The Applicant is further granted a time variance until June 30, 2010 in which to correct any other outstanding deficiencies in this facility. The motion was unanimous.

APPEAL #080155: Whitmarsh Corporation, for the property located at 164 Massachusetts Avenue in Providence. DSFM Christopher Moore appeared for the State Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to grant the Applicant's request for variances on items 3, 4, 5, 6 and 7 of the Marshal's April 10, 2008 inspection report. The Applicant is further granted a time variance until December 31, 2010 in which to correct items 8, 10 and 12 of the same report. The motion was unanimous.

APPEAL #080156: Whitmarsh Corporation, for the property located at 292 Massachusetts Avenue, Providence. Vice Chairman Newbrook made a motion, seconded by Commissioners Dias and Filippi, to

grant the Applicant's request for variances on items 4, 5, 6 and 7 of the Marshal's April 9, 2008 inspection report for this facility. The Applicant is further granted a time variance until December 31, 2010 in which to correct all other outstanding deficiencies in this report, to include items 8, 10 and 12. The motion was unanimous.

APPEAL #080176: Whitmarsh Corporation, for the property located at 246 Sackett Street in Providence. DSFM Christopher Moore appeared for the State Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioners Walker and Jasparro, to grant the Applicant a variance on items 2, 3, 4 and 5 of the Marshal's May 2, 2008 inspection report. The Applicant is granted a time variance until December 31, 2010 in which to correct all other outstanding deficiencies in this facility, to include items 6, 8 and 10. The motion was unanimous.

APPEAL #090047: Whitmarsh Corporation, for the property located at 20 Eighth Street in Providence. DSFM Christopher Moore appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the Applicant a variance on items 5 and 7 of the Marshal's December 3, 2008 inspection report. The Applicant is granted a time variance until June 30, 2010 in which to correct all other outstanding deficiencies in this facility, to include items 4 and 9. The motion was unanimous.

APPEAL #090194: Hughes Associates, for the property located at 1

Valley Street in Providence. Assistant Deputy State Fire Marshal's Silva and Vespia appeared for the Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Walker made a motion, seconded by Commissioner Jasparro, to approve the Applicant's request for variance from the provisions of sections 11.92., 11.9.3 and 13.8.10.4.3.4, there being no objection from the Providence Fire Marshal's office. The Commissioners voted to deny the Applicant's request to remove the heat detection from the trash rooms. The motion was unanimous.

**Respectfully submitted,
Carol Marsella**